



Punjab Government Gazette

EXTRAORDINARY

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ELECTION COMMISSION OF INDIA

Nirvachn Sadan, Ashoka Road, New Delhi-110001

No. 76/PB-LA/107/2022/CEMS-I

Dated : 30th September, 2024
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ORDER

WHEREAS, the General Election to Legislative Assembly of Punjab, 2022 **107-Dhuri** Assembly Constituency was held in pursuance of the Election Commission of India vide Notification No. **464/PB-LA/2022**, dated **25th January, 2022**; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his election expenses which shall be true copy of the account kept by him or his election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **107-Dhuri** Assembly Constituency of Punjab, 2022 was declared by the Returning Officer on 10th March, 2022 and hence the last date for lodging the account of Election Expenses was 09th April, 2022; and

WHEREAS, as per report of the District Election Officer, Sangrur received from Chief Electoral Officer, Punjab vide his lettermo. Elec. 2022/R-8510, dated 26.04.2022 under sub-rule (1) of Rule 89 of the Conduct of Elections Rules, 1961, **Shri Shakti Kumar Gupta**, a contesting candidate from **107-Dhuri** Assembly Constituency of Punjab, 2022 has failed to lodge account of election expenses, as required under law; and

WHEREAS, on the basis of the said report of the District Election Officer, Sangrur a Show-Cause notice No. 76/PB-LA/101/2022/CEMS-I, dated 28th June, 2022 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Shri Shakti Kumar Gupta**, for not lodging of account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Shri Shakti Kumar Gupta**, was directed to submit representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge account of election expenses with the District Election Officer, **Sangrur** District within 20 days from the date of receipt of the notice; and

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WHEREAS, the Chief Electoral Officer, Punjab vide his letter no. Elec.2022/R-11095 dated 09.08.2022 forwarded the District Election Officer, Sangrur has reported that the said notice was served to Shri Shakti Kumar Gupta, dated 11.7.2022; and

WHEREAS, the CEO, Punjab vide letter no ELEC-2023/R-5191, dated 21.09.2023 forwarded the District Election Officer, Sangrur Supplementary Report No.2023/1555 dated 21.09.2023 and reported that Shri Shakti Kumar Gupta has not submitted account of election expenses. Further, after receipt of the said notice, Shri Shakti Kumar Gupta, has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account as prescribed under law; and

WHEREAS, Section 10 A of the Representation of the People Act, 1951 provides that:-

"If the Election Commission is satisfied that a person-

(c) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(d) has no good reason or justification for the failure,
the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order. "

WHEREAS, on the basis of facts and available records, the Commission is satisfied that Shri Shakti Kumar Gupta, has failed to lodge account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares Shri Shakti Kumar Gupta, #292, Ward No.2A, Janta Nagar, Dhuri, Distt.Sangrur and a contesting candidate in 107-Dhuri Assembly Constituency of General Election to the Legislative Assembly of Punjab, 2022, to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.



(SUJEET KUMAR MISHRA)
SECRETARY

To

Shri Shakti Kumar Gupta,
#292, Ward No.2A,
Janta Nagar, Dhuri,
Punjab.

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